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Guest columnist

Stop this attempt to impose censorship

WASHINGTON — Every day, U.S. newspapers publish information about national security that does not come from official handouts or press conferences by high officials.

Some of this is ferreted out by enterprising reporters; some is "leaked" by officials who believe they can change policy by informing the public.

This news is grist for the mill of all who seek to exercise their First Amendment rights to influence government policy on matters of war and peace.

Some of the leaks are from the right (alleged Soviet arms control violations); others are from the left (covert operations); others are neutral (cost overruns or weapons that do not work). Without these "unauthorized" disclosures, robust debate on national security matters would not be possible.

Senior officials only make public information that promotes official policies. That information is not sufficient to challenge those policies.

The president and his senior advisers are always concerned about leaks and have every right to try to stop them by restricting access to information and firing those who reveal information they want kept secret. However, until the Justice Department indicted Samuel Morison for providing information to a British magazine, the government had never sought to use the espionage laws to punish disclosure to the press.

If Morison's recent conviction is sustained on appeal, the

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USA will have an Official Secrets Act that would enable senior officials to dictate what information can be disclosed.

The espionage statutes under which Morison was indicted were meant to deal with real espionage — covert transfers to hostile foreign powers — not leaks to the press.

Under the government's new interpretation of these statutes and of the theft laws, which were also used against Morison, any publication of national security information which is not the result of an official high level disclosure is a crime. The statutes used apply equally to government officials and to reporters, to information and to documents, and to serious damaging leaks and those that only potentially could help any other nation.

Various presidents have asked Congress to enact such sweeping laws; it has always refused to do so. Now the Justice Department is asking the courts to interpret laws intended for other purposes to create a sweeping censorship system.

If Congress sought to enact such a law, it would be violating the First Amendment. So is the administration when it seeks to twist existing law to meet its objectives. Unless it is stopped, the right of all of us to know what the government is doing and to debate its policies will be in jeopardy.